

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Zachary James Catlin,

File No. 21-cv-728 (ECT/KMM)

Plaintiff,

v.

Eric Heck, Litchfield Police Officer;
Brandon Nadeau, Litchfield Police Officer;
Unknown Meeker County Sheriff; Jon Agre,
Meeker County Sheriff's Office Deputy;
Unknown Kandiyohi County Sheriff; Sean
Swanson, Kandiyohi County Sheriff's
Office K-9 Deputy; Unknown Officer John
Doe; and Unknown Officer Jane Doe,

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Defendants.

Magistrate Judge Katherine Menendez issued a Report and Recommendation on April 29, 2021. ECF No. 5. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 5] is **ACCEPTED**;
2. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A;
3. Plaintiff's Motion to Appoint Counsel [ECF No. 3] is **DENIED WITHOUT PREJUDICE**; and

4. Plaintiff's Application to Proceed in District Court Without Prepaying Fees
[ECF No. 2] is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 9, 2021

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court